



**Agenda Item Number:** \_\_\_\_\_

## **BERNALILLO COUNTY BOARD OF COUNTY COMMISSIONERS**

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**Meeting Date:** August 24, 2010

**Department:** Zoning, Building, Planning **Staff Contact:** Adella Gallegos, Assoc. Program Planner

**TITLE:** CONSENT: Special Use Permit for a Sanitary Landfill (CSU-20100015)

### **COUNTY PLANNING COMMISSION RECOMMENDATION:**

Approval

### **SUMMARY:**

At the June 2, 2010 public hearing, the County Planning Commission voted 6-0 (Commissioner Atencio excused) to recommend approval of a Special Use Permit for a Sanitary Landfill located in Sections 7, 17, and 18, T9N, R1E, located at 18000 Cerro Colorado Boulevard SW, approximately 3 miles south of I-40, and 5 miles west of the Paseo Del Volcan exit, zoned A-1, and containing approximately 900 acres. The decision was based on the following seven (7) Findings subject to the following nineteen (19) Conditions.

#### **Findings:**

1. This is a request for Special Use Permit for a Sanitary Landfill located in Sections 7, 17, and 18, T9N, R1E, located at 18000 Cerro Colorado Boulevard SW, approximately 3 miles south of I-40, and 5 miles west of the Paseo Del Volcan exit, zoned A-1, and containing approximately 900 acres.
2. The property is located in the Reserve Area as designated in the Albuquerque/Bernalillo County Comprehensive Plan.
3. This request is consistent with Resolution 116-86 in that there have been changed community conditions that have occurred directly adjacent to the subject site on the east that include an automotive race track, a correctional facility and a solar power plant.
4. This request is consistent with Resolution 116-86, as articulated in the Albuquerque/Bernalillo County Comprehensive Plan, Environmental Protection, Solid Waste Policy 3.a, b. & c., in that this request would be more advantageous to the community by providing an efficient, economical and environmentally sound method of solid waste collection/disposal, recycling, minimize illegal dumping and provide a method for managing hazardous waste generated by households.
5. This request appears to be consistent with the Southwest Area Plan as articulated in Policy 47 in that existing Cerro Colorado Sanitary Landfill appears to have already provided the road design and infrastructure necessary for the operation of the requested land use.

6. The applicant will be required to provide several measures to mitigate the impact of erosion, winds, potential for flooding, potential for groundwater contamination and re-vegetation of the subject site.
7. This request is consistent with the health, safety, and general welfare of the residents of the County.

Conditions:

1. Access to the use of the landfill site shall be restricted solely to waste transport vehicles which transport waste materials either in totally enclosed or totally covered compartments, such that no litter or waste materials shall be released from such vehicles until arrival at the disposal site.
2. A liner shall be required to insure that leachate does not leave the site and that the standard percolation rate of 10(-7) cm/sec will be met. A line of two feet of clay is preferable, but the most cost-effective method for a liner can be used. The engineering design shall demonstrate ability to accommodated seismic motion during an earthquake.
3. A leachate collection system will be installed.
4. Monitoring systems, including wells and detection devices to detect leachate and methane gas shall be installed within close proximity of the edge of the expanded area of the landfill to evaluate outgoing water.
5. Compaction, watering, daily solid cover, and impervious cap, and re-vegetation will be used to control erosion.
6. A buffer space of at least 500 feet will be maintained to the east, south, west and north of the landfill.
7. A comprehensive list of special wastes acceptable under NMED regulations along with removal procedures for each waste proposed for disposal shall be provide to the County Environmental Health Department for their review and comment. No out of state special waste shall be accepted by the landfill.
8. A report on handling procedures for petroleum-contaminated soils acceptable under NMED regulation, including proper disposal procedures, shall be provided to the Bernalillo County Office of Environmental Health.
9. Debris control measures, such as a berm of at least fifty (50) feet in height or other measures deemed appropriate by the Zoning Administrator, shall be installed to provide a visual buffer between the site and adjacent properties.
10. The applicant shall provide to the Bernalillo County Office of Environmental Health proof of permits for the existing wells and wastewater systems.
11. The applicant shall obtain a surface disturbance permit from the City of Albuquerque Environmental Health Department prior to any earthmoving activities involving a parcel  $\frac{3}{4}$  of an acre or more. The applicant shall submit a copy of the permit to the Zoning Administrator.
12. The applicant shall submit a Hazardous Materials Emergency Response Plan to the Bernalillo County Fire Marshal's Office within two month of final approval by the Board of County Commissioners.

13. The applicant shall obtain all required building/trade permits and compliance certificates for existing buildings on the property.
14. Landscaping for the Special Use Permit shall meet the standards outlined in the Zoning Ordinance, except that a six (6) foot landscaping buffer along the north, west and south property lines to be provided within 120 days after the occurrence of residential development on adjacent tracts.
15. Parking for the Special Use Permit shall meet the standards outlined in the Zoning Ordinance:
  - a. All off-street parking areas must be surfaced with concrete or bituminous materials (asphalt). Gravel parking areas are not acceptable.
  - b. All off-street parking spaces are required to be appropriately marked (striped) to indicate the location of each space.
16. Three copies of the revised site plan with the Conditions of Approval shall be submitted for review and approval by the Zoning Administrator within six months after final approval by the Board of County Commissioners.
17. The Special Use Permit shall be issued for the life of the use.
18. The applicant shall comply with all applicable Bernalillo County ordinances and regulations.
19. The foregoing Conditions shall become effective and shall be strictly complied with immediately upon execution or utilization of any portion of the rights and privileges authorized by this Special Use Permit.

**ATTACHMENTS:**

1. County Planning Commission Notice of Decision Letter (June 4, 2010)
2. County Planning Commission Information Packet
3. Site Plan dated April 26, 2010 (Commissioners only)

## **STAFF ANALYSIS SUMMARY**

**ZONING, BUILDING & PLANNING:**

Staff Recommends Approval